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<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)</b>	Docket Number (Optional) NUM 07.001
First Named Inventor: <u>Dinan, Mark Andrew</u> Art Unit: <u>2457</u> Application Number: <u>10/022,795</u> Examiner: <u>El Chanti, Hussein A.</u> Filed: <u>December 20, 2001</u>	
Title: <div style="border: 1px solid black; padding: 5px; display: inline-block; width: 80%;"> <b>GRAPHICAL INTERACTIVE INTERFACE FOR IMMERSIVE ONLINE COMMUNITIES</b> </div>	
Attention: Office of Petitions <b>Mail Stop Petition</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.	
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.	
<p style="text-align: center;"><b>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.</b></p> NOTE: A grantable petition requires the following items: (1) Petition fee. (2) Reply and/or issue fee. (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995, and for all design applications; and (4) Adequate showing of the cause of unavoidable delay.	
1. Petition fee <input checked="" type="checkbox"/> Small entity – fee \$ <u>270</u> (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27. <span style="float: right;">Refund Ref: 12/29/2009 0030078181</span> <input type="checkbox"/> Other than small entity – fee \$ _____ (37 CFR 1.17(l)).	
Credit Card Refund Total: <b>\$270.00</b>	
2. Reply and/or fee A The reply and/or fee to the above-noted Office action in the form of <u>Pat Exp.: XXXXXXXXXXXX2018</u> <u>payment for additional claim of \$25</u> (identify the type of reply): <input checked="" type="checkbox"/> has been filed previously on <u>September 30, 2008</u> <input type="checkbox"/> is enclosed herewith. B The issue fee of \$ _____ <input type="checkbox"/> has been filed previously on _____ <input type="checkbox"/> is enclosed herewith.	
Adjustment date: 12/29/2009 CKHLOK 10/06/2009 INIEFSW 00006162 10022795 01 FC:2452 <b>-270.00 OP</b>	

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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UNAVOIDABLY UNDER 37 CFR 1.137(a)**

**3. Terminal disclaimer with disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

**4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.**

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

*MAK*

Signature

Michael A. Kerr

Typed or printed name

P.O. Box 22028

Address

Carson City, NV 89721

Address

October 6, 2009

Date

42,722

Registration Number, if applicable

775-841-3388

Telephone Number

- Enclosure ☐ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unavoidable delay
- ☐

**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

October 6, 2009

Date

*Marie Martin Kerr*

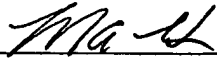
Signature

Marie Martin Kerr

Typed or printed name of person signing certificate

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
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NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.



Signature

October 6, 2009

Date

Michael A. Kerr

Typed or printed name

42,722

Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

The Examiner issued a Notice of Additional Fee due of \$25 for one excess claim on September 26, 2008. The Applicant paid this fee on September 30, 2008, well within the 30-day response period. This application entered abandonment on August 18, 2009 for purported failure to pay the additional claim fee of \$25. Abandonment by Applicant was unavoidable due to the mistake of the USPTO in failing to note that fees were paid.

Copies of all documents supporting Applicant's statements are available on Public PAIR.

Applicant respectfully requests that the USPTO withdraw the abandonment, and revive this patent application, refunding the petition fee of \$270.

(Please attach additional sheets if additional space is needed.)

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>12/29/09</u>		2 Serial/Patent # <u>10/022,795</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
	Amendment			\$
	Extension of Time			\$
	Notice of Appeal/Appeal			\$
X	Petition	PET.OP	10/06/09	\$ 270.00
	Issue			\$
	Cert of Correction/Terminal Disc.			\$
	Maintenance			\$
	Assignment			\$
	Other			\$
			7 TOTAL AMOUNT OF REFUND	\$ 270.00
			8 TO BE REFUNDED BY: CREDIT CARD	
			Treasury Check	
			Credit Deposit A/C #:	
			9	<div style="border: 1px solid black; display: inline-block; width: 100px; height: 20px; text-align: center;"> -- </div>
10 REASON:				
	Overpayment			
	Duplicate Payment			
X	No Fee Due (Explanation):			
PETITION TREATED AS 1.181 PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT.				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: <u>April M. Wise</u>		TITLE: <u>Petitions Examiner</u>		
SIGNATURE: <u>/APRILMWIS/</u>		PHONE: <u>571-272-1642</u>		
OFFICE: <u>Office of Petitions</u>				
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****				
APPROVED: <u></u>		DATE: <u>12/29/09</u>		

*Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:*

**Office of Finance  
Refund Branch  
Crystal Park One, Room 802B**